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A VINDICATION

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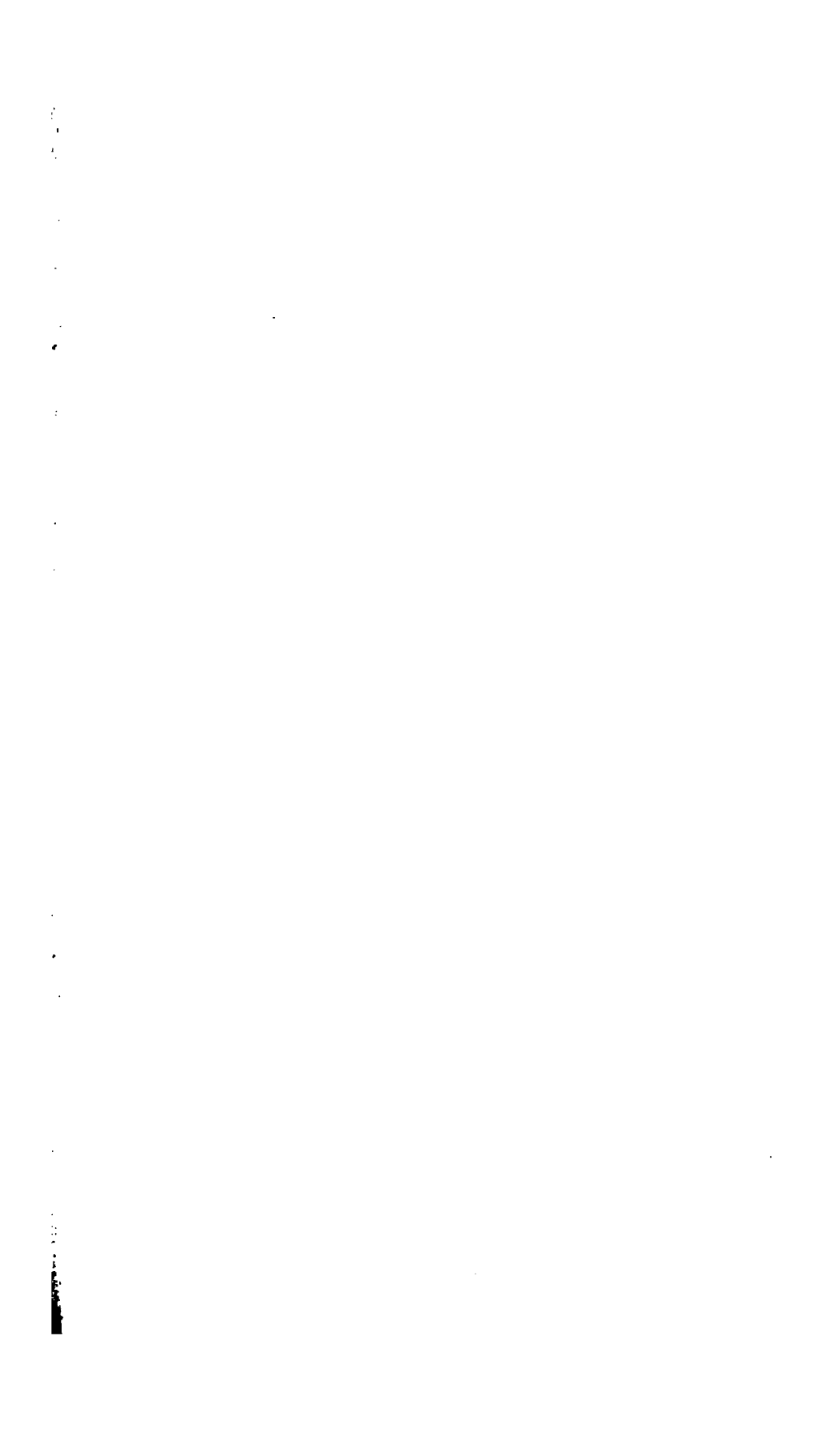
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ARTHUR LEE, —**LL. D., F. R. S.****AS SEEN IN****HISTORY.**~~~~~
1770-1781.

. . . .

Lege totum, si vis scire totum.

. . . .

RICHMOND, VA. :***Whittet & Shepperson, Printers.*****1894.****PRICE, 50 CENTS.**



A VINDICATION

OF

ARTHUR LEE, LL. D., F. R. S.

©

A VINDICATION
OF
ARTHUR LEE, LL. D., F. R. S.,
FORMER REPRESENTATIVE OF THE PROVINCE OF
MASSACHUSETTS BAY, AT LONDON,
JOINT COMMISSIONER WITH JOHN ADAMS, BENJAMIN FRANKLIN,
AND SILAS DEANE, AT THE COURT OF LOUIS XVI.
OF FRANCE, AND SOLE COMMISSIONER AT
THE COURTS OF SPAIN AND PRUSSIA.

DESIGNED AS A

REFUTATION OF CHARGES

FOUND IN THE WRITINGS OF BENJAMIN FRANKLIN, AS EXHIBITED BY
JARED SPARKS, THE LETTERS OF SILAS DEANE, THE MEMOIR OF
BEAUMARCHAIS, BY L. DELOMÉNIE, AND "TRANSLATIONS"
(1889) OF CERTAIN DOCUMENTS ALLEGED TO HAVE BEEN
FOUND AT PARIS IN THE FRENCH ARCHIVES.

1770-1781.

BY CHARLES HENRY LEE.

Richmond, Va.:
WHITTET & SHEPPERSON, PRINTERS, 1001 MAIN STREET.
1894.

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PREFACE.

SURPRISE has been expressed in well-informed circles that, in view of the "ample material at hand," no authoritative reply to the assaults that from time to time have been made upon the good name of so distinguished and faithful a public servant as ARTHUR LEE has heretofore appeared. What follows in this pamphlet is mainly embraced in a yet unpublished "MEMOIR OF THE LIFE AND TIMES OF HIS BROTHER, RICHARD HENRY LEE." Everything connected with the men and events of the war for independence (1776, &c.) must be of interest to the present generation; and while a complete and impartial history of the part borne by the Old Dominion in that memorable struggle remains to be written, it is hoped that this imperfect contribution in that direction, and in vindication of one of her sons, who was prominent therein, may not be found unworthy of public attention.

CHAPTER XIII.

MANY things have been written concerning Arthur Lee; a great deal in his praise, much to his disparagement. They would have no place in this narrative except that, to some extent, they are connected with the course of Richard Henry Lee on certain occasions in his endeavors to defend the reputation of an accomplished brother, whom he deemed had been unjustly assailed; for if the latter deserved the abuse that had been heaped upon him, Richard Henry Lee could never, in his position, have defended him, and, as has been said, "covered him with the *ægis* of his eloquence and influence." It is, therefore, due to the memory of both these distinguished servants of their country that the truth should be known. And it is well to note in the outset, that the charges against Arthur Lee can generally be traced to personal enmity, or at least to insufficient information. That differences of opinion existed between the colonial agents in France is well known. Recalling the variety of interests, and the untried questions of diplomacy that were committed to their consideration, and sometimes to their decision, the wonder is that such few differences arose; while it remains to be regretted that any of them should have resulted in the estrangement of countrymen and former friends. "Time and succeeding events," as has been well observed, "must have corrected occasional misapprehensions and errors of statement in the writers, as well as the fallacy of some of their conjectures and speculations. They were called upon to grapple with the politics of Europe, and to discourse on a theme, and execute a task that would have been of no easy accomplishment even in the hands of the veteran diplomatists of the old world."¹

The truth of the charges that have been made against Arthur Lee can only be ascertained by a reference to facts; and it cannot be denied that very few of the public men of his day have

¹ Jared Sparks. It would have been well if this eminent biographer had borne this suggestion in mind at all times.

been so entirely deprived, by self-constituted arbiters, of *proofs* in their favor as he has been of whom, as late as the year 1819, John Adams deliberately put on record this testimony: "Arthur Lee, a man of whom I cannot think without emotion; a man too early in the service of his country to avoid making a multiplicity of enemies; too honest, upright, faithful, and intrepid to be popular; and often obliged by his principles and feelings to oppose Machiavelian intrigues to avoid the destiny that [possibly] awaited him. This man never had justice done him by his country."¹

To appreciate fairly the position that Arthur Lee holds in history, it will be necessary to recall certain prominent facts and incidents in his life; and we preface a summary of these by the admission that, notwithstanding his advantages of travel and of intercourse with many of the most enlightened men of his day, at home and abroad, his acknowledged acquirements as a scholar, which secured him the much-coveted prize of "Fellow in the Royal Society" at London; despite also the fact that he was generous and kind-hearted, he was, withal, *determined* to a degree akin to obstinacy, tenacious of his opinions, and at times disposed to be irritable. These traits of character, combined with an innate hatred of dishonesty and chicanery, involved him in disputes with other people in his official capacity; and among them, in those controversies which culminated in open ruptures with such men as Benjamin Franklin and Silas Deane.²

It is proper to observe further, that Arthur Lee was never engaged in trade or commerce, nor in private enterprises for the accumulation of money; nor has he ever been charged with speculations or adventures of any description, which frequently tempt those engaged in such enterprises from the path of honor and duty; nor does it appear that, during his entire service in Europe, where large sums of money passed through his hands, or came within his reach, a single defalcation on his part oc-

¹ Works of John Adams, Vol. X., p. 382.

² John Adams, who occupied a like position in Europe with Arthur Lee, in referring to himself, said: "The wisdom of Solomon, the meekness of Moses, and the patience of Job, all united in one character, would not be sufficient to qualify a man to act in the situation in which I am."—Works, III., 18.

curred; neither has his worst enemy charged that in his public conduct he was at any time swayed by pecuniary considerations. It is to be lamented that this cannot be affirmed with equal confidence of some of those who became his accusers in other respects.

Gérard de Reyneval, the first French envoy to the United States, in writing to *M. Vergennes*, is reported thus to have expressed himself: ". . . I am sorry to be obliged to add that personal disinterestedness and pecuniary integrity have shed no lustre on the birth of the American Republic. All its agents have derived exorbitant profits from manufactures. A selfish, calculating spirit is widespread in the land. Mercantile cupidity forms, perhaps, one of the distinctive traits of the American, especially of the Northern people."¹

Whatever may be said of the means employed by other "agents of the American Republic," one thing is certain: Arthur Lee retired from the public service with clean hands, to a modest country home in Virginia, where he died, if not in poverty, yet far removed from affluence.

Let us now glance at such of the facts bearing on that part of Arthur Lee's career as are pertinent to this inquiry, and see how far the allegations against him are sustained. We will endeavor to follow them fairly, but briefly. While yet in London, Arthur Lee, some time in the year 1775, was informed by M. de Beaumarchais, also in that city, that France was willing to aid the Colonies with arms and ammunition to the value of two hundred thousand pounds. This is stated as a *fact* by Arthur Lee, with certainty and particularity, as we shall see hereafter. It has, however, been denied by certain writers, notwithstanding it is admitted that Beaumarchais did have various interviews with him in London, and that they afterwards held with each other a "cypher correspondence." It has never been affirmed by any one that everything or anything which transpired in those interviews, or that the contents of that correspondence, were known to any one except the individual parties themselves. When, therefore, Arthur Lee, a duly accredited agent of the Colonies, in the discharge of his official duties, positively and

¹ Durand's Translations.

A VINDICATION

OF

ARTHUR LEE, LL. D., F. R. S.

place. We have employed every moment in preparing the way for fulfilling the purposes of our mission. . . . The politics of Europe are in a state of trembling hesitation. In consequence of this I find that the promises that were made me by the French agent in London, and which I stated to you by Mr. Story, have not been entirely fulfilled. The changing of the *mode* of conveying what was promised was finally settled with Mr. Deane, whom *Mr. Hortalez*¹ found here on his return, and with whom all these arrangements were made. I hope you will have received some of the supplies long before this reaches you."

The joint commission now (January, 1777) commenced its negotiations with the court of France by asking a sufficient loan of money, arms, ammunition, and ships. Later they proposed a treaty of alliance and reciprocal commerce with France. But these efforts resulted in nothing beyond expressions of good will. The time had not arrived for *open relief*. In February, 1777, a second memorial, attributed to Arthur Lee, signed by all the commissioners, was presented to the Count de Vergennes, pleading for aid, but without immediate results.

At this point Arthur Lee's immediate connection with the joint commission at Paris was interrupted by his mission to Spain. He soon afterwards announced his arrival at Vittoria, whence he wrote requesting certain information, and was replied to by Franklin, who concluded his note with expressions of the "greatest esteem," etc., March 21, 1777. In the latter part of this year Arthur Lee returned to Paris, and resumed his duties as joint commissioner at the court of France. The treaty of alliance, which was now partially arranged, contained provisions which he did not approve. The staple molasses was at that time largely derived from the French possessions in the West Indies. It was proposed by the treaty to exempt from duty all merchandise imported by French subjects from the United States to the French islands yielding molasses, while France should exempt only molasses exported from her islands to the United States by their citizens. These provisions were embraced in the eleventh and twelfth articles of the treaty, and were opposed by Mr. Lee, on the ground of a want of recipi-

¹ Beaumarchais.

city. The other commissioners did not take the same view; but, as Mr. Lee refused to sign the treaty with them, they united in an effort to have the articles to which he objected omitted; but the entire treaty having been approved by the king before their letter requesting the change had been received, it was finally settled that the two articles should stand, subject to the approval of Congress, which body afterwards rejected them, thus endorsing the position that had been assumed by Mr. Lee.

The last act of Arthur Lee as joint commissioner, necessary to mention here, was his signature to the "articles separate and secret," at Paris, February 6, 1778, whereby certain reservations to the treaty of that year were made in favor of Spain, to the following effect: "The deputies of the United States, in the name of their constituents, accept the present declaration in its full extent; and the deputy¹ of the said States, who is fully empowered to treat with Spain, promises to sign, on the requisition of his Catholic Majesty, the acts necessary to communicate to him the stipulations of the treaties above written; and the said deputy shall endeavor in good faith the adjustment of the points in which the King of Spain may propose any alterations, conformably to the principles of equity, reciprocity, and perfect amity," etc. The discussions that took place on this treaty between the commissioners and with the French minister are epitomized in the *Diary*² of Arthur Lee, who, up to this time, acted a conspicuous and important part as joint commissioner.

Unless all history is at fault, whatever else Arthur Lee did or did not do, he kept a lynx eye on the public treasury; and one day having this eye turned in that direction, and in the exercise of what John Adams called his "not very sweet disposition," he indited the following letter:

"PARIS, *June 1, 1778.*

"*The Committee of Correspondence:*

"GENTLEMEN: The hurry in which the last dispatches went away prevented me from being so particular about them as I wished. Nos. 7, 8, and 9 were omitted, being newspapers, and too voluminous for the conveyance. Mr. *Mortier's* papers were

¹ Arthur Lee.

² *Life and Correspondence*, I., 378, etc.

sent to show you the demands that were made upon us, and the grounds. You will see they are accounts which Mr. Deane ought to have settled. It is this sort of neglect and confusion that has prevented Mr. Adams and myself, after tedious examination of the papers left with Doctor Franklin, from getting any satisfaction as to the expenditure of the public money. All we can find is that millions have been expended, while almost everything remains to be paid for. Bargains have been made of the most extravagant kind with this Mr. Mortier and others. For example, uniforms that are agreed for at 37 francs might have been had here for 32 francs each, and equally good, which, being 5 francs on every suit, comes to a large sum upon thousands. Of the £100,000 advanced to Mr. Hodge, there appears no account. I have been told that Congueghan's vessel cost but £3,000. For what purpose the overplus was given to Mr. Hodge; how the public came to pay for the refitting, and at length the vessel and her prize-money made over to Messrs. Ross & Hodge without a farthing being brought into the public account, it rests with Mr. Deane or Mr. Hodge to explain. I have enclosed you all the receipts found among those papers, the sending of which has been neglected. Of the triplicates and duplicates, an original is sent, and copies of those that are single. You will see that my name is not affixed to these contracts. In fact, they were concealed from me with the utmost care, as was every other means of my knowing how the affairs were conducted. And as both my colleagues concurred in this concealment, and in refusing my repeated requests to make up accounts and transmit them to Congress; it is not in my power to know, with accuracy, what is going on; much less to prevent this system of profusion. I was told that Mr. Williams,¹ to whom I know the public money was largely entrusted, was to furnish his accounts *monthly*, but they were never shown to me; and it now appears that for the expenditure of a million of livres he has given no account *as yet*, nor can we learn how far what he has shipped is on the public, and how far on his private account. We are in the same situation as to Mr. Ross. This indulgence to Mr. Williams, and favoring Mr. Charmont, a par-

¹ Doctor Franklin's nephew.

ticular friend of Doctor Franklin, is the only reason I can conceive for the latter having countenanced and concurred in this system. You will see a specimen of the manner of it in the enclosed copy of a letter from Doctor Franklin to his nephew, which the latter sent me as *authority* for his doing what the commercial agent conceived to be encroaching on his province. I have done my utmost to discharge my duty to the public in preventing the progress of this disorder and dissipation in the conduct of its affairs. If it should be found that my colleagues have done the same, I shall most cordially forgive them the offence and injury so repeatedly offered to me *in the manner of it*. I do not wish to *accuse them*, but to *excuse myself*, and should have felt as much happiness in preventing, as I have regret in complaining of this abuse."

July 16, 1778, Arthur Lee writes to the Committee of Correspondence at Home: "In a letter of June 17, from a port where I used to ship blankets, etc., I have an account of 6,000 blankets, 10,000 pairs of strong shoes, a large parcel of stockings, with rigging, duck and tent cloth, which will soon be ready for shipping. *This is gratis, as formerly, and what has been sent I have paid for*; so that those merchants (Hortalez & Co.) have no demand upon you; nor are you under any necessity of sending effects to them, unless you think it a proper market for some things, as it certainly is for fish."

These statements were repeated in a letter from Mr. Lee to the Committee on Foreign Affairs, dated Paris, October 6, 1777, in which he writes: "Upon this subject of *returns*, I think it my duty to state to you some facts relative to the demands of this kind from *Hortalez*.¹ The gentleman who uses this name came to me about a year and a half ago as an agent from this court, wishing to communicate something to Congress. At our first interview he informed me that the court of France wished to send aid to America, £200,000 sterling, in specie, arms and ammunition, and that all they wanted was to know through which island it was best to make the remittance, and that Congress should be apprised of it. We settled on the *Cape* as the

¹ Beaumarchais.

place, and he urged me by no means to omit giving the earliest intelligence of it, with information that it would be remitted in the name of '*Hortalez*.' At our next meeting he desired me to request that a small quantity of tobacco, or some other production, might be sent to the Cape, to give the air of a mercantile transaction; repeating, over and over again, that it was for a cover only, and not for payment, as the remittance would be gratuitous. . . . On Mr. Deane's arrival the business went into his hands, and the '*aids*' were at length embarked on the *Amphitrite*, *Mercury*, and *Seine*. The minister has repeatedly assured us that no return is expected for these subsidies." ¹ Again, Arthur Lee writes: "Three months before Mr. Deane's arrival (in Paris) M. de Beaumarchais settled with me, in London, the sending of these supplies of money and munitions of war by the '*Cape*,' under the firm of Hortalez & Co., and that I should apprise Congress of it; which I did by Mr. Story, and by other opportunities, as the gentlemen of the secret committee know. When *M. de Beaumarchais* returned to Paris he wrote me several times concerning these supplies, mentioning the difficulties which arose in the execution from the timidity of the court, but that he was putting it into a mercantile train which would soon overcome all difficulties. . . . I do not state this to assume any merit to myself. I had none. *M. de Beaumarchais* sought me out in London. He found me by means of Mr. Wilkes, and communicated to me what I was to convey to Congress—that the sum of two hundred thousand *louis d'ors* from this court was ready for our support. It was therefore no address of mine that procured the aid. I was only the instrument of conveying this intelligence. As far as I know the merit is due to *M. de Beaumarchais*. I never refused it to him. But I objected to his making demands directly contrary to what he had repeatedly assured me, and had not only desired, but urged me to report to Congress." ²

¹ The whole of this letter may be seen in Sparks's *Diplomatic Correspondence*, I., pp. 449-50. This is corroborated by the subsequent opposition of Franklin to the demand of Beaumarchais.

² Sparks's *Diplomatic Correspondence*, I., 450. And see *Ante*, page 9, where these statements are substantially repeated by Arthur Lee. Let the reader

Of the many letters written by Arthur Lee with the view of protecting the Colonies from imposition, the following is a specimen:

“PARIS, *January 9, 1779.*

“*To the Committee of Foreign Affairs:*

“... We wrote M. de Beaumarchais upon our receiving your letter, and the agreement with his proposed company, that we were ready to settle accounts with him whenever he chose. He has made no answer. If your commercial agents do not keep exact accounts of the marks of what they receive, and count or weigh what is delivered, you will want the means, as we do, of checking the demands made. For example, *Mr. Monthein* brings in an account to us of so many uniforms of blue cloth, and so many pounds of rose copper; and *Mr. Williams*, the agent, gives a receipt for so many *bales* of uniforms, and so many *casks* of copper, without specifying the number, weight, or quality, so that we are as little able to judge whether what we are to pay for has been received, as if no receipt at all was produced. Nor is the receipt on your side of the water in the least more explicit.”¹

At another time he writes to Richard Henry Lee: “Things are going on worse and worse every day among ourselves, and my situation is more painful. I see in every department neglect, dissipation, and private schemes. Being in trust where I am responsible for what I cannot prevent, these very men will probably be the instruments for having me called to account for their own misdeeds.”² These were prophetic words.

The foregoing summary was necessary to exhibit the position of Arthur Lee as he appears in the records of the past, with respect to his assailants. Many names and explanatory facts have been omitted, which, although favorable to him, belong more immediately to the *Memoir* of which this chapter is a

also compare the above frank admission of Arthur Lee with the charges of “ambition,” and a desire to assume a degree of “undue merit,” made against him by the writers herein referred to.

¹ *Diplomatic Correspondence*, Sparks's, I., 537.

² Arthur Lee's *Life and Correspondence*, 127.

part. But from what has been presented it appears that, while in London, Arthur Lee had received assurances from *Beaumarchais*, as the professed agent of France, that the French government would aid the American colonies with supplies to the amount of £200,000:

“That in fact certain supplies were soon afterwards furnished the Colonies, and were sent under the assumed name of *Rodrigue, Hortalez & Co.*, but which *Arthur Lee* believed and asserted were from the French government, while *Beaumarchais* claimed that they had been furnished by himself:

“That *Arthur Lee* was joint commissioner to France with Benjamin Franklin and Silas Deane, with equal powers in all matters requiring their joint action; but that on many important occasions he was not consulted, and, as he claimed, often to the public detriment:

“That no material difference arose between *Arthur Lee* and his co-commissioners until the former expressed his belief that the public interests were neglected, and reported to Congress the condition of affairs as they appeared to him, blaming other persons, including both Franklin and Deane.”

It will also appear that Benjamin Franklin, although later he became the enemy of *Arthur Lee*, agreed in his views of the claim set up by *Beaumarchais* against the United States.

As may be supposed, the parties whose course had been at all questioned, resented that of *Arthur Lee*; and as the testimony of two persons is usually enough to overcome that of one person, it has been taken for granted that this *should be so* in the present case; it being *assumed* that there are several credible witnesses to each alleged fact, and that all of those against *Arthur Lee* are equally reliable, and equally supported by circumstances. Acting on this *postulate*, certain *critics*, overlooking much of the evidence on record, have decided that the man who devoted the best years of his life to his country's cause, rendering services of great and acknowledged value; who retired to private life, in the face of unusual temptation, untainted, and with the approbation of his constituents, was, nevertheless, worthy to have his memory blackened with such epithets as

traitor and falsifier; while not a few *penny-a-liners* have been found to take up the chorus of defamation.

Two things, then, seem to be necessary: *First*, to ascertain what the particular charges are that have been preferred against Arthur Lee, and about which there has been much loose speculation; and *secondly*, by whom they have been made, and upon what evidence they rest.

The first charge we shall notice is, that Arthur Lee was in some way engaged in a secret correspondence with the British government, through a certain Doctor Brinkerhart and others. This charge is so idle and so contrary to the truth, that, but for "the manner of it," there would scarcely be any excuse for noticing it. But in order to give color to it, the enemies of Mr. Lee contrived to circulate reports concerning him of a very damaging nature, as near the same time as possible both in Europe and America. In France they asserted his complicity with England; and in America (assuming the success of that falsehood) they affirmed that he had already lost the respect and confidence of King Louis and his ministers. The principal instigator of these falsehoods was, doubtless, Silas Deane, who in his "address to the people of the United States," intended for his own vindication, emphasized the charge of illicit communication between Arthur Lee and certain Englishmen. These slanders having reached the ears of *John Adams*, who had superseded Silas Deane as commissioner at Paris, that gentleman addressed a note to the *Count Vergennes*, of which the following is an extract:

"PASSY, *February* 11, 1779.

". . . It is the address to the people of America under the name of Silas Deane that has occasioned this boldness in me. It is to me the most unexpected and unforeseen event that has happened. I hope your Excellency will not conclude that I despair of the Commonwealth. Far otherwise. I know that the body of the United States stands immovable against Great Britain, and I hope this address of Mr. Deane, though it may occasion trouble to individuals, will produce no detriment to the common cause, but on the contrary . . . It is my indispensable

duty on this occasion to inform your Excellency, without consulting either of my colleagues,¹ that the Honorable Arthur Lee was as long ago as 1770 appointed by the House of Representatives of Massachusetts Bay, of which I then had the honor to be a member, their agent at the court of London, in case of the death or absence of Dr. Franklin. This honorable testimony was given to Mr. Lee by an assembly in which he had no natural interest, on account of his inflexible attachment to the American cause, and the abilities of which he had given many proofs in its defence. From that time to the year 1774 he held a constant correspondence with several of those gentlemen who stood foremost in the Massachusetts Bay against the innovations and illegal encroachments of Great Britain. This correspondence I had the opportunity of seeing, and I assure your Excellency, from my own knowledge, that it breathed the most inflexible attachment to, and the most ardent zeal in the cause of his country. From September, 1774, to November, 1777, I had the honor to be in Congress, and had the opportunity of seeing his letters to Congress and their committees, and to individual members. Through the whole of both these periods he communicated the most constant and certain intelligence which was received from any individual within my knowledge; and since I have had the honor of being joined with him here I have ever found in him the same fidelity and zeal. I have not a glimmering of suspicion that he ever maintained an improper correspondence in England, or held any conference or negotiation with anybody from thence, without communicating it to your Excellency or to his colleagues. I am confident, therefore, that every insinuation and suspicion against him of infidelity to the United States, or their engagements with his Majesty, are false and groundless, and that they will assuredly be proved to be so."²

The following letter, bearing on the first specification in the charge against Arthur Lee, will explain itself:

¹ Franklin and Lee.

² The whole of this letter may be found in Arthur Lee's *Life and Correspondence*, I., 157.

"August 7, 1778.

"*To the Committee of Correspondence:*

"GENTLEMEN: The enclosed paper (*Letter A*) was communicated secretly by *Dr. Bancroft* to Dr. Franklin and Mr. Adams, the latter of whom delivered it to me. Though, according to the charge it contains, I was the person immediately injured by the conduct of him they accuse,¹ yet it was me particularly the writers took care not to apprise of what was doing. What I know of the matter is this: Mr. Thornton, the object of their accusation, or, as I find him called in the papers left by Mr. Deane, Major Thornton, was chosen by my colleagues to convey our first letter to Lord North concerning the treatment of prisoners in England. This was the first knowledge I had of him. Having observed that he executed his commission with activity and address, and he being recommended to me by Dr. Franklin, I took him as a secretary, with the intention of making use of his acquaintance in the naval and military lines in England. With this view, I soon after sent him to London, from whence he transmitted, and also brought me useful intelligence, which I communicated from time to time to the ministry. Being about to send him again to London, I understood that Dr. Bancroft had whispered about that he was engaged in *stock-jobbing*. Upon touching this matter to Mr. Thornton, he told me that he knew Dr. Bancroft and the Whartons were engaged in stock-jobbing, for the latter had communicated to him all their transactions and mutual correspondence; that one of them had repeatedly solicited him, when in London, to become an adventurer with them, which he had constantly refused; and that upon his return to Paris he was pestered with letters requesting his correspondence, which he would never answer. As a proof of this, he put into my hands the letter marked D. This, with the previous knowledge I had of his accusers being themselves stock-jobbers, satisfied me that the charge was malicious, and I therefore continued him in my employment, and dispatched him to London, with directions to go to Portsmouth and Plymouth [England], and collect the most accurate statements he could of the force and condition of the enemy's fleet.

¹ Mr. Lee's secretary.

This he executed with such secrecy that this Mr. Wharton wrote to him in Paris, while he was at Plymouth, of which letter Dr. Pringle, of South Carolina, was the bearer. It was directed to be delivered to Dr. Bancroft in Mr. Thornton's absence. When I understood this transaction, I apprehended that they had seduced him into their association. I therefore wrote him very strongly on the subject, and desired him to return immediately to Paris. His answer was that he was then sick, but would come as soon as he recovered. Since this I have not heard from him, but have had information from a very responsible merchant in London, that Mr. Wharton has communicated to him doubts of Mr. Thornton's fidelity to me, assuring him that he had given me full information of it, and all the particulars of his conduct; not a word of which was true. It appears, too, by his own letter and Capt. Livingston's testimony, that there is as little truth in his declaration of Mr. Thornton's being a stranger to him. Though he says he lent him money on my account, yet he has never informed me of his having done so. I have not, nor ever had, the least acquaintance with Mr. Wharton, but have frequently been informed of his holding conversations not very friendly to me. Upon the whole, it appears to me that their plan was to seduce my secretary to the very infidelity of which they accuse me. I cannot help thinking that statements, which, it is said, Mr. Thornton communicated to Mr. Wharton, were framed for the purpose of this accusation, from hints sent from hence; because there is a confusion, blundering, and a mixture of truth and falsehood in them, which might well arise from intelligence picked up, and could not have happened if my secretary had taken copies of any of my papers for the purpose of betraying them. It is certain that the persons who have made this accusation were trusted with our state secrets after we were credibly informed of their being engaged in stock-jobbing, and at the time when that confidence was absolutely refused to the other two commissioners of Congress, Mr. Izard and Mr. William Lee. You will see by our banker's account that about the time of this stock-jobbing upon the most sacred state secret that ever was committed to us, Mr. ——— remitted to Mr. ——— 19,000 livres.

"These are the observations, which I think it my duty to communicate to you, upon those most unworthy transactions, being fully satisfied that while such men are admitted into public confidence here, neither the business of the state, nor the honor of individuals, can be secure from their attempts.

"I have the honor to be, etc.,

"ARTHUR LEE."¹

A sufficient answer to the second branch of the first of the foregoing charges against Arthur Lee, viz., that he had "*lost the confidence of the French ministry*," may be found in the following correspondence. The English cabinet had sent to Paris a secret agent in the person of a Doctor Hartley, who was known to be then a personal friend of Benjamin Franklin, in order to defeat, if possible, the proposed treaty of alliance between the United States and France. As soon as Arthur Lee heard of this, he addressed to the Count *Vergennes* the following note:

"April 24, 1778.

". . . I have learned that Mr. Hartley, in conversing with prominent French citizens, insinuates that engaging in a war in our favor is very impolitic, since you can expect nothing but ingratitude and ill faith. . . . I have also been informed that, besides their commissioners, the ministry have dispatched two persons to America to work as privately as Mr. Hartley is doing. One of them is an American. I know them both, and the size of their understandings, and degree of their influence. There is nothing to apprehend from either. This shows the imbecility and distress of our enemies, and will change the detestation of America into contempt."

To this note *Vergennes* replied:

"VERSAILLES, April 24, 1778.

"*The Hon. Arthur Lee* :

"I am much obliged to you for the information touching the insinuations of Mr. Hartley. . . . I do not doubt of his receiving as little credit with you as he certainly will with us; and I

¹It is evident from this letter that somebody wanted its writer removed from Paris.

can answer for it he will not find us susceptible of the suspicions he wishes to inspire."¹

In June, 1778, *Vergennes* wrote again to Arthur Lee in this way: "You will see by the enclosed from the Prince de Montbarry and the statement annexed, that I have used the utmost activity in executing the commission you recommended to me. . . . I shall always be extremely flattered when you furnish me, particularly, opportunities of showing my readiness to serve the United States, and to you, sir, the perfect esteem with which I have the honor to be," etc., etc.

The letter of the Prince de Montbarry, above referred to, contains the following assurance to Arthur Lee: ". . . I am happy, sir, this occasion furnishes me an opportunity of assuring you of the pleasure I have in transacting business with you, and of proving to you the regard and high consideration with which I have the honor to be, sir," etc., etc.²

Later (December 31, 1778) the Prince de Montbarry informs Mr. Lee that he "had received his letter of the 15th of the month relative to the refusal of the director of the arsenal at Nantes to deliver, without an order, to the agent for Virginia, an essential part of a coast carriage, which I directed to be added to the rest of the artillery, etc. I have ordered that director, agreeably to your desire, to deliver the lock belonging to the carriage, with its appendages," etc.

Some difficulty having occurred about the delivery of certain articles for Virginia, in the manner at first agreed on, Mr. Lee addressed to the Count *Vergennes* a note, dated Paris, March 22, 1779, in which he writes: "I had yesterday the honor of receiving your Excellency's letter of the 20th, enclosing one from Prince de Montbarry to inform me of his intention to order the re-entry of the artillery and munitions of war which his Majesty had the goodness to furnish to the pressing wants of Virginia. Events have happened since I had the honor of writing to your Excellency upon this subject, on the 16th of February, which compel me to beseech you to use your utmost

¹ *Life of Arthur Lee*, I., 143-'44.

² *Life and Correspondence of Arthur Lee*, see I., 413-'14.

influence in preventing this resolution from being carried into execution, as I apprehend nothing can be more detrimental, and even fatal, to the State of Virginia, and consequently to the common cause." Mr. Lee then proceeds to press the case upon the attention of the French court, and amongst other reasons for dispatch and in support of his request, informs the court of the intention of the English to invade Virginia at an early day. In reply to this letter *Vergennes* informs Mr. Lee that the following instructions have been given on the subject: "Versailles, May 26, 1779.—Upon the representation of Mr. Lee, I instruct the director of the artillery at Nantes, that his Majesty consents to let the supplies which were-furnished to the State of Virginia pursue their first destination. . . . —MONTBARRY."

Meanwhile, heavy duties had been levied by the French authorities on the arms and other supplies intended for Virginia. Arthur Lee felt unable to discharge these duties, being already in advance of funds to his State, accordingly he appealed to the "*Comptroller General of Finance*," and urged a release of the duties in question. This request was declined. Mr. Lee, however, renewed the appeal, and received the following answer:

"PARIS, April 26, 1779.

"I received, sir, the letter you did me the honor of writing me on the 15th of this month, relative to the artillery, &c., which the king has been so good as to furnish to the State of Virginia, and which have been shipped at Nantes. After the explanation which you have made I gave orders to the Farmers-General to annul the security given (for payment) by Mr. Schweighhauser; but I beg you will be so good as to observe that a similar favor cannot be granted consistent with the law.

"I have the honor to be, etc.

NECKER."¹

In October, 1778, *Vergennes* wrote to Arthur Lee as follows: "I have received with great sensibility the news which you have obtained by way of Spain. It is a very great fatality that the unlucky gale of wind separated the squadrons just as Count

¹ The letters from which the two extracts above have been made may be found in the *Life and Correspondence of Arthur Lee*, I., 413 & seq.

d'Estaing had found the English. He then had a superiority which he must have lost if the Admirals Byron and Parker have joined Lord Howe. We are very impatient to receive some direct accounts from our vice-admiral. . . . I request you, sir, in the meantime to communicate whatever news you may receive through other channels."¹

Still later, January 10, 1779, the same minister writes to Mr. Lee: "I received with the letter you did me the honor to write me on the 8th, a copy of your answer to Dr. Brinkerhart, which is noble and frank. These are not qualities the most cherished in England; but it is good they should know there that your intentions are not different from those of your constituents, and that they in vain attempt your and their fidelity. Agreeably to our advices from England, the gales of wind towards the end of last month have much disordered the numerous transports that were prepared for the two Americas. I am going to acquaint *M. de Lactine* of the one that is about sailing from Cork."²

The first envoy to the United States, *Gérard*, also wrote in very kind and flattering terms to Mr. Lee, on this wise:

"VERSAILLES, *April* 1, 1778.

"SIR: I called at your house to have the honor of your commands to the country where you know I am sent. Not having the honor of finding you at home, and my time pressing me, allow me the honor of taking my leave by writing, and requesting the favor of your commissions for America. You will truly oblige me, sir, if you will charge me with letters for some of your connections or friends, especially those who are members of Congress. My acknowledgments shall equal the considerations of regard with which I have the honor of being, etc., etc.,
"GÉRARD."

To which Mr. Lee replied:

"APRIL 1, 1778.

"SIR: I had the honor of receiving your favor this moment, which is the first intimation I have received of what you mention. By six o'clock I will send you the letters you desire. I

¹ *Diplomatic Correspondence*, Sparks's, I., 523.

² Sparks's *Diplomatic Correspondence*, I., 539.

did intend to have spoken to you more upon what passed between the Spanish ambassador and myself, etc. . . . Be so good as to accept my best wishes for the happiness and success of your voyage, etc., etc.,

ARTHUR LEE."

And Gérard answers :

"VERSAILLES, *April 1, 1778.*

"SIR : I have received the letter you did me the honor to write to me, as also the packets you send by me. I shall carry them with a great deal of pleasure, and am much flattered with your confidence. I must inform you, sir, that notwithstanding the public nature of my mission I do not avow it; and the confidence I place in you in this respect will, I hope, be considered as a proof of the regard with which I have the honor to be, etc.,

"GÉRARD."

These letters hardly manifest any want of "respect for, or lack of confidence" in Arthur Lee on the part of the French ministry. Neither is it possible that so brave and well-informed a man as LaFayette would have condescended to have used language like the following, had he doubted the honor and faith of that official, by thus addressing him :

"HAVRE, *August 28, 1779.*

" . . . I have the pleasure to inform you, my dear sir, that the noble present Congress were pleased to add to many favors and precious marks of their regard towards me, which was sent me through Dr. Franklin, was delivered by his guardson. *That sword* I am proud to carry into the heart of England; and I will ever consider it a new bond, which increases the right of boasting of being considered one of the most zealous servants of the United States. . . . Farewell, my dear sir. I hope you do not doubt that it will give me great pleasure to hear from you; and with the most sincere regard and truest affection,

"I am yours,

LA FAYETTE." ¹

A second charge, as already stated against Arthur Lee, is, that taking advantage of his position as commissioner, he

¹ *A. Lee's Life and Correspondence*, II., 361.

endeavored to defeat the settlement of claims against the United States, which he either knew to be just or knew nothing about; and among these, those of Caron de Beaumarchais, and Silas Deane. The inconsistency of this and the previous charge is too obvious to require comment.

Of so celebrated a character as Beaumarchais, it is hardly necessary to say that he possessed great and versatile talents, personal attractions, and a generous nature, united with a passion for wealth, and a love for rash and even foolish adventures. It is not entirely certain whether, while in the indulgence of these dispositions, he first sought employment under the French government, or that the keen eye of *Vergennes* discovered in him a good instrument for his purposes. At any rate, Beaumarchais embraced the opportunity, sought or offered, of aiding the American colonies, and of securing at the same time, as he doubtless imagined, large profits on the undertaking. That he rendered very valuable services to America has always been admitted. That he was entitled to the full compensation he demanded has been denied by those best informed on the subject. Among those who undertook to question the justice of all his demands was Arthur Lee, who, if the history of the times is to be relied on, had good reason for the course he pursued. We have seen that he was appointed joint commissioner with Benjamin Franklin and Silas Deane to represent the interest of the Colonies in Europe. His biographer gives the following account of Mr. Lee's first meeting with Beaumarchais, and its results: "As soon as Mr. Lee received the appointment from the secret committee, he sought and obtained several interviews with the French ambassador at the court of Great Britain, and urged upon the attention of his court the direct interest of France in affording to the Colonies the countenance of her friendship and aid. In consequence of these conferences with the French ambassador, the Count de Vergennes, then the prime minister of Louis XVI., sent a gentleman (Mons. Caron de Beaumarchais) in a confidential manner to London, who informed Mr. Lee that the French could not think of entering into a war with England, but would assist America by sending from Holland £200,000 worth of arms and ammunition to St. Eustaria,

Martinique, or Cape Francois; that application was to be made to the governors or commandants at those places by inquiring for *Mons. Hortalez*, and that on persons properly authorized so applying, the articles would be delivered to them. Mr. Lee immediately informed Mr. Story (the gentlemen mentioned in the letter from the secret committee), who had been sent by that committee on a secret mission, and wrote himself to that committee, accordingly."¹ This statement may be accepted as substantially that of Arthur Lee himself, having been gathered from his private papers by his biographer, who states that he verified it by the journals of the secret committee of Congress. It is impossible to believe that Arthur Lee invented this circumstantial statement, with Mr. Story at hand; or that the secret committee should not have detected its falsehood, had it been fabricated. 6

Upon Arthur Lee's being appointed one of the foreign special committee to represent the Colonies at the court of France, he repaired to Paris, and began to importune the government in their behalf, when the good intentions of that power, as he avers, were repeated to him through the agency of *M. de Beaumarchais*; and he again communicated to the secret committee, in October, 1776, through the same Mr. Story, the information thus conveyed to him. Subsequently, in a letter to Richard Henry Lee, written in the confidence of one brother in another, he says: "We have late and positive assurances from our friends in France and Spain, that what we have hitherto received is given without any expectation of return." 6

According to these accounts, as we have previously stated, Arthur Lee was visited, at least on two occasions, by Beaumarchais, as the agent, real or assumed, of Vergennes, on the particular business of relief to the American colonies—once in London, in 1775, and again in Paris, in 1776, and was induced to believe that supplies of arms and ammunition would be furnished by France to assist them. It is not distinctly asserted in the communication sent by Mr. Story to the secret committee that all the supplies were to be given America; but from the subsequent letter to Richard Henry Lee, and the other com-

¹ *Life and Correspondence of A. Lee*, I., 54-5.

munications that have been mentioned, Arthur Lee evidently thought so, and most likely intended to convey that idea to Congress. For this he has been savagely attacked in various quarters. *Mons. de Loménie* (amongst others)¹ in his work, *Beaumarchais and His Times*, following in the wake of Mr. Sparks, seems to have been at unusual pains to paint the character of Mr. Lee in unattractive colors, and, while admitting that he "deserved consideration for natural and acquired abilities," asserts that he was "devoured by ambition, disposed to make much of himself at the expense of others"; and that, "although he defended the cause of his country with ardor and perseverance, his assistance in the negotiations at Paris was insignificant." De Loménie, however, nowhere applies the epithet "*Traitor*," as others of Mr. Lee's assailants have done.

The public services of Arthur Lee will not now be discussed. The only point to be considered just here is, did he represent the facts as they existed, in reporting to his government the result of his interview with Beaumarchais in London and Paris, and the intention of the French authorities as communicated to him; or did he distort and misrepresent them with the malign intent attributed to him by his enemies? It is quite apparent why certain persons should have wished to destroy the force and effect of Arthur Lee's testimony. To do this, it seemed convenient to assail his *character* (especially for truth and patriotism), a common way of dealing with witnesses whose evidence is likely to prove troublesome. So after having placed him in the pillory of detraction, and suggested his general unworthiness, *M. de Loménie* advances particular specifications by quoting, inaccurately however, the words already cited above from *Arthur Lee's biographer*, introducing them in this manner: "Charmed to find an opportunity of assuming importance, Arthur Lee wrote immediately to the secret committee of Congress that in consequence of his active endeavors with the ambassador of France at London, *M. de Vergennes* had sent to him, Arthur Lee, a secret agent to inform him that the court of France could not think of making war against Eng-

¹ We leave out of the account what has been reproduced by various *purloiners* from this author and Jared Sparks.

land, but was ready to send arms and ammunition, to the value of five millions,¹ to Cape Francois, to be forwarded to the United States." "There was not," adds *M. de Loménie*, "a word of truth in this information. *M. de Vergennes* had sent no agent to Arthur Lee to make him promises of this kind. . . . Arthur Lee, to give himself importance in the eyes of Congress, had completely changed the nature of the conversation between him and Beaumarchais. . . . The strange exaggerations of this young American had naturally made a lively impression on the secret committee. It was the first news of the kind which arrived in America. So it was concluded that Arthur Lee was a very clever negotiator; and as just before the receipt of this news the committee had sent a private agent, Silas Deane, to request the very assistance which Arthur Lee assured them was already promised, it intended to make the latter a joint commissioner with the former. . . . When Beaumarchais returned from London to Paris he kept up a correspondence with Lee in cipher. When it had been agreed between *M. de Vergennes* and *Beaumarchais* that the affair should bear a strictly private and commercial character, *Beaumarchais* wrote the following note to Arthur Lee, in London: 'June 12, 1776.—The difficulties I have met with in my negotiations with the ministry have made me decide to form a company which will send the ammunition and powder to your friend, as soon as possible, in consideration of tobacco being sent in return to the French Cape.' Upon this, Silas Deane, the American agent sent direct to France by Congress, arrived. As he alone was furnished by Congress with power to treat in their name, *Beaumarchais* made his arrangements with him, and did not write again to Arthur Lee. The latter relied on this affair to make himself popular in America. . . . It was this insidious story of Arthur Lee that caused all the trouble between *Beaumarchais* and Congress."²

Such, in substance, is the indictment found against Arthur Lee in the work of *M. de Loménie*, the French author, enlarged in

¹ Arthur Lee had written £200,000.

² *Life of Beaumarchais*, by *M. de Loménie*.

the *Life of Franklin*, by Jared Sparks, from whom much has been copied by the former writer, and who has been faithfully followed by lesser lights. Borrowing M. de Loménie's words, we undertake to say, *there is no truth in it*. He was undoubtedly misled by Mr. Sparks, to whose prejudiced *opinions*, for they are nothing more, we shall presently refer. But the ground and keynote of M. de Loménie's assault on Mr. Lee may be found in the last lines just cited from his book, viz.: that Arthur Lee's reports had "caused all the trouble between Beaumarchais and Congress."

As already observed, there is just here but a single point in dispute, that touching the veracity of Arthur Lee. The averments that he was "devoured by ambition," and therefore may have deserved the poinard of some jealous and avenging Brutus; whether he was an incompetent or indifferent public servant, and therefore liable to the sentence of "inefficiency," present questions quite distinct from that of untruthfulness, so openly pressed affirmatively against him; although it is difficult to see how, as is admitted, he could have "defended the cause of his country with ardor and perseverance," and at the same time have represented as true that which, if false, manifestly tended to its injury, or, indeed, why Beaumarchais should have *written* at all to Arthur Lee if they had had no understanding in London.

The charge, as made, is at once broad and grave. It involves the ungracious *suppressio veri*, and the more serious *suggestio falsi* as well—the concealment of facts, and the invention of falsehoods. We ask then, is it true that Arthur Lee either suppressed the truth, or uttered falsehoods in his dealings with his government? This, we again repeat, is the only question here. What then did he represent, in reference to this question of supplies, to the secret committee of Congress? We answer: *First*, He informed them that he had been met in London by the French agent, *M. de Beaumarchais*. *Second*, That this agent assured him that France was ready to assist America with arms and ammunition to the value of £200,000, not with "*five millions*," as he is credited with stating. These statements were made by Arthur Lee, first to the London agent of the secret committee (Mr. Story), at the time of *M. de Beaumarchais's* visit to London.

They are gathered from Mr. Lee's private papers by his biographer, where they were found with other documents after his death. They were doubtless made in perfect good faith, and are as much entitled to credit as any other statements of facts similarly preserved. Falsehoods are not usually *written* without deliberation, and in the absence of strong motives. Yet, if Arthur Lee was guilty of the conduct attributed to him, he not only imposed, in the first instance, on Mr. Story in London, where Beaumarchais then was, but after deliberately committing a false statement to writing, transmitted it to the secret committee, and also to a prominent member of Congress; and in his letter to the same committee, written in December, 1776, called attention to the transaction he had before mentioned; and again, in 1777, reiterated his statement; and finally, by way of preserving a record of his own infamy, left copies of all these communications to be preserved amongst his private papers! It is impossible to conceive of such folly.

To parry the force of such obvious objections, it is shrewdly suggested that Arthur Lee was then "an ambitious young man," a "mere student at law, unknown to fame," etc., who, becoming "charmed at the prospect of making himself popular in America, devised this story." The facts, however, are, that Arthur Lee, at the time of his interview with Beaumarchais, had passed his thirtieth year. He had, before that time, received the diploma of the University of Edinburgh. So far from being a "mere student at law," and "unknown," he was a practitioner at the London bar. He was a member of the "Bill of Rights Society of London," and wrote the address of that body to the lord mayor on the occasion of the imprisonment of that official by the House of Commons. His brother William Lee was an alderman of London. He was himself well known in the society of that great metropolis; was the representative of the Colony of Massachusetts Bay, and the companion of such men as Lord Shelburne and Sir William Jones. Hence, in quitting London at the call of the secret committee, he must have surrendered large personal interests, both present and prospective. For these reasons, if there were no other and weighty ones, it is impossible to conclude that Arthur Lee, in dealing with the secret

committee of a government and people he knew to be in the throes of revolution, would have sacrificed his honor and their confidence for the uncertain and paltry considerations suggested. We insist, therefore, that, even had he been base enough to attempt such a deception of his countrymen, there was no sufficient motive to that end, but, on the contrary, that he had every possible motive to acquaint them with the real situation of affairs. Upon the face of the papers, therefore, as lawyers are wont to say, there appears nothing to discredit his account of what occurred between himself and Beaumarchais, which, according to the friends and supporters of the latter, was the cause of so much controversy with Congress, and which has certainly proved the occasion of much unmerited slander on an honorable name.

As the case now stands, on this presentation of it, we have the affirmation of Arthur Lee, on the one hand, and the denial of Beaumarchais on the other; Lee having no interest in the subject-matter except to protect his struggling country against what he conceived to be an exorbitant demand; and Beaumarchais claiming to be a creditor, and pressing his heavy account. Whose testimony should be accepted? It is denied that Beaumarchais was the agent of France. How, then, did he come to interview Arthur Lee in London? How and why did he find this "mere student at law," this "unknown young man," in that great metropolis, or, indeed, know anything about so obscure an individual? If the object of Beaumarchais was only to help the Colonies by opening commercial intercourse with them, London was a strange place to commence operations, and an "unknown student" a remarkable medium of communication. Moreover, it appears that Beaumarchais was well satisfied with his interview with this "unknown student" in London, for after his return to Paris he "carried on a correspondence with him in cypher," until he met Silas Deane, whom he chose to accept as the sole agent of America in France. What then passed between these two, no one can tell. We only know that their arrangements proved mutually satisfactory, and that henceforth these two strangers became sworn friends. If Silas Deane was not, in some way, connected with the renowned house of

Roderigue, Hortalez & Co., he certainly manifested unusual interest in its success.

But it is affirmed that *Vergennes* denied having made any such promises in favor of the Colonies. If so, this only leaves the question where it stood between Lee and Beaumarchais, and by no means proves the truth or error of either side of the case. But what did Vergennes say on this subject?

After Silas Deane had been superseded on the joint commission to France by John Adams, we find the commissioners, Franklin, Lee, and Adams, in consequence of instructions received from Congress, addressing *de Vergennes* a letter in which, amongst other things, they say: "We do not know who the persons are who constitute the house of Roderigue, Hortalez & Co.; but we have understood, and Congress have ever understood, and so have the people in America in general, that they were under obligations to his Majesty's good will for the greatest part of the merchandise and warlike stores heretofore furnished under the firm of Roderigue, Hortalez & Co. We cannot discover that any written contract was ever made between Congress, or any agent of theirs, and the house of R. H. & Co.; nor do we know of any living witness, or any other evidence, whose testimony can ascertain to us who the persons are that constitute the house of Roderigue, Hortalez & Co., or what were the terms upon which the merchandise and munitions of war were supplied, neither as to the price, nor the time nor conditions of payment." The letter from which the above extract is made is dated *September 10, 1778*, and is signed by John Adams, Arthur Lee, and Benjamin Franklin. Amongst other papers, it refers to a copy of a contract (sent to them by Congress) between the committee of Congress and "*John Baptiste Lazarus Théveneau de Francy*," the contract itself being dated "*April 16, 1778*." In the work from which the above is obtained, *Documents on the American Revolution*, translated by John Durand, this comment appears: "This letter shows belief in Arthur Lee's statements, and disregard of the statements made by Silas Deane. Considering the important services of this able patriot, there is not, probably, in our history a more signal instance of the effect of political malignity. The Count de Vergennes could

not reply to this letter officially," etc. But Vergennes did reply to it through the French minister in the United States, M. Gérard. We have his reply to that communication. But before presenting that reply, we beg leave to suggest that the "*malignity*," if any, appears rather on the part of the *commentator* than in any one else. Both Franklin and Adams were sensible, well-informed, and independent men. It is a poor compliment to them to assume that in the discharge of their responsible duties they were controlled by the opinions of any individual; but if, in truth, they did credit the statements of Arthur Lee rather than those of Silas Deane, it is but another and decided tribute to his accuracy and fidelity. The "*contract*" referred to appears to have been made in America by *de Francy*, and it is not surprising that none of the commissioners in Paris knew of its existence.

Here, however, is the answer of *de Vergennes*, made through the French representative to the United States, *M. de Gérard*, according to Mr. Durand's translation. We have not thought it important to ascertain whether a similar reply was sent direct to the American commissioners in Paris or not. It is highly probable that such was the fact. The Count de Vergennes was an attentive and courteous minister. He was on very friendly terms with those gentlemen whom he styles *plenipotentiaries*; and the letter to *M. de Gérard* may have been, in the course of official correspondence, intended to keep that official acquainted with what was going on at home, as well as for the information of Congress, whom he had all along been desirous to encourage in their resistance to England. In this letter he says: "Mr. Franklin and his colleagues would like to know what articles have been supplied by the king, and those that have been supplied by M. de Beaumarchais on his own account; and they insinuate that all, or at least a large portion, of what has been sent is on account of his Majesty. I am about to reply that the king has not furnished anything; that he has simply allowed M. de Beaumarchais to provide himself with what he wanted in the arsenals, on condition of replacing *what he took*; ¹ and that for

¹ But see correspondence between A. Lee and the French authorities about supplies to Virginia. *Ante*.

the rest I will gladly interpose in order that they may not be pressed for the payment of the military supplies. . . . As I do not know the house of Roderigue, Hortalez & Co., I cannot vouch for it. It is impossible to give any opinion either on its standing or responsibility." Such, we are told, was the reply of Vergennes. Who can fairly interpret it as a contradiction of Arthur Lee's statements? "The king," he says, "does not give anything"—openly, of course. The king dared not do this. It would at once have been treated by England as *casus belli*. Yet the king could do much under cover of commerce, and in this way strike a deadly blow at his great adversary. This he effectually did by permitting Beaumarchais to enter his arsenals on a private understanding that "*they*" (?) would not be pressed for payment. The expression is equivocal. The veil is too thin to conceal the object behind, especially when no proof has been adduced that France was remunerated by Beaumarchais, or from any other source. If the French court had not in some way been concerned in a promise to aid the Colonies, as Arthur Lee insisted he had been informed; if Beaumarchais had not so pledged Vergennes both to Arthur Lee and Silas Deane, why did the latter thus address that minister in November, 1776? "I write you, M. de Vergennes, in consequence of your interview this morning with M. de Beaumarchais. I wish for your *general direction and advice* in this critical and important business."¹ If Beaumarchais was the only source of the expected supplies, and the "king furnished nothing," what had Vergennes to do in the premises? Who ever heard of the prime minister of a great government being called on to advise and direct in a private enterprise on the application of a foreigner?

And what of those *receipts* required by the French government from Beaumarchais? Surely the king was not a *dealer* in government supplies; nor can it be supposed that his prime minister would have undertaken to loan *large sums* from the public treasury to a private citizen. But here are copies of the receipts given by M. de Beaumarchais:

"Received from *M. Duvergier*, in conformity with the orders of M. de Vergennes, dated the 5th inst., which I have handed

¹ *Life of Beaumarchais.*

to him, the sum of one million of livres tournois, of which I am to render an account to the said Sieur. Compt de Vergennes.

"CARON DE BEAUMARCHAIS.

"Good for a million of livres tournois.

"PARIS, *June 10, 1776.*"

Also, "Received from his Excellency, M. le Compt de Vergennes, the receipt for a million of livres tournois given by M. Duvergier to the Spanish ambassador, with which receipt I am to receive from the said royal treasurer the sum of one million tournois, the use of which I am to account for to his Excellency, M. le Compt de Vergennes.

"CARON DE BEAUMARCHAIS.

"VERSAILLES, *August 11, 1776.*"

These are remarkable papers. They contain no promise to pay, only to "*account*" for what may be done, but at no specified time, in the use of these large sums of money; they naturally suggest the question why, if the recipient was acting only as a private individual, he should have been entrusted with two millions of money from the governments of France and Spain?

"Thus supplied," says one of Arthur Lee's accusers, "with funds by the French government, *solely for its own purposes*,¹ Beaumarchais was accountable to it for their expenditure." And what can be plainer than that in this way he was constituted the representative of France to conceal her real attitude towards the American colonies; and what wonder that Benjamin Franklin and Arthur Lee should have insisted that the account of Beaumarchais against the United States was subject to heavy discounts. It is well known that Benjamin Franklin repeatedly repudiated the claim of Beaumarchais as preferred to Congress, and that several committees of that body after considering, reported against it. In a letter from Franklin, Arthur Lee, and Silas Deane to the Count de Vergennes, written in February, 1777, they say: "The supplies of arms, etc., they have been led to expect from France, having been delayed, are not likely to arrive before the commencement of the next campaign, *especially*

¹ The emphasis ours.

if they are to be carried first to the French islands." Let the reader connect this with Arthur Lee's communication to the secret committee through Mr. Story, before referred to, as to the *route* of the supplies, mentioned by Beaumarchais in his interview with Arthur Lee in London. So far, then, it seems that Arthur Lee only discharged a plain duty in the course he pursued respecting the demands made on the United States; and deserved to be commended rather than censured. Whether "the manner of it," to borrow one of his expressions, should have been different, we of this day are hardly in a position to decide. Nor does this affect the real question in issue, which, as we have endeavored to show, is one of veracity alone, and upon which there can hardly be two reasonable opinions.

The letter which Arthur Lee wrote to Franklin on the 2d of April, 1778, and to which the latter naturally excepted, deserves notice here, having been inspired by peculiar circumstances and possibly under a misapprehension of facts. The soul of Arthur Lee was engrossed in the American cause. He was intensely alive to everything that threatened its failure, or awakened hopes of its success. No one can read his letters without being struck with that fact. After the treaty between France and the American colonies had been consummated, *Gérard De Rayneval* was dispatched as minister plenipotentiary to the United States. However important it may have been to conceal this fact from the public, no sufficient reason appears why the secret should have been confided to one of the United States commissioners—Franklin, alone, if, indeed, such was the fact—and which he said he was instructed not to communicate to Mr. Lee. This assertion of Franklin appears to have been doubted by Lee, who, at the same time suspecting the philosopher of encouraging suspicions of his complicity in the misconduct of his clerk while in England, under the impulse of the moment penned his letter of May 2, just mentioned, which brought from Franklin a very caustic reply. The breach which had for some time been widening between them was now complete. But we find the much-abused Arthur Lee some time afterwards attempting a reconciliation, as he thus writes in reply to a note of Franklin:

“CHALLIOT, *February 18, 1779.*

“I this moment had the honor of receiving yours of this date, containing copies of resolutions of Congress of September 11th and 14th, and October 27th. I shall do myself the honor of paying my compliments to you on your appointment to-morrow about 12 o'clock. Nothing can be more agreeable to me than your intention of cultivating the harmony recommended by the last resolve, because I have always lamented the interruption of it as detrimental to the public and dishonorable to ourselves.

[“As Mr. Deane has used your name in his letter to the people in order to support his accusations against me, and has done the same in a piece sent to Congress, and sent to me by their order, to authorize the most outrageous abuse, it was my intention to have written you to ask if this was done by your authority. But I shall not carry out this intention without some assurance from you that it will not prevent the promised harmony and confidence, which in my heart I believe essential to the honor and interests of the United States. Rather, therefore, than hazard these, by any act of mine, I will combat Mr. Deane's calumnies without endeavoring to deprive him of the appearance of your connivance under which he shields himself.”]

All of the foregoing part of the above letter included in brackets may be seen in “*Arthur Lee's Manuscripts*,” on file in the State Department at Washington—but has been *suppressed* by Mr. Sparks in his “*Diplomatic Correspondence*.” It does not appear for what reason; nor does it appear that Franklin ever replied to the letter, or explained the use of his name by Mr. Deane.

Whether Arthur Lee's doubts concerning Franklin's declarations, that he had been cautioned not to mention *Gérard's* appointment, were well founded or not, it is certain the statement is totally inconsistent with the course of that minister himself as manifested in his letter to Mr Lee, immediately preceding his departure for America, already cited.

It is quite certain that Dr. Franklin's good nature never induced him to surrender an atom of his personal rights and as-

sumed precedence. He claimed all that he was entitled to, and seldom abandoned what he claimed. Like an experienced racer, he could take the bit in his teeth, and go his own way, with the declaration that he had no "desire to quarrel, or to meddle in disputes." The letter of Arthur Lee, of April 2, 1778, was not more exceptionable than that of John Adams; nor was the conduct of Franklin, complained of by Adams, calculated to enforce the idea that, although the philosopher had no "desire to quarrel, or to meddle in disputes," he intended that any Alexander should stand between himself and the sun.

As Mr. Adams's position, just here, can better be defined in his own words than by a synopsis, we give the following extracts from his letter of August 31, 1783, to Mr. Livingston: "Yesterday, at Versailles, the Baron de Walterstorff came to me, and told me he had delivered to Dr. Franklin a project of a treaty between Denmark and the United States, and asked me if Dr. F. had shown it to me. I answered that I knew nothing about it. He said he wondered at that, . . . for it had been shown to Mr. Jay. There he was misinformed, for, on my return from Versailles, I called on Mr. Jay, and he assured me he had not seen it. . . . Now, I beg to be informed by Congress whether Dr. Franklin has such authority [to treat alone with the powers] or not? Having never been informed of such powers, I do not believe he has them. I remember there was, seven years ago, a resolution of Congress that their commissioners at Versailles should have power to treat with other powers of Europe; but upon the dissolution of that commission, this authority was dissolved with it, or, if not, still resides in Mr. Deane, Mr. Lee, and myself, who were members of that commission as well as Dr. Franklin. If it is in virtue of this power he acts, he ought at least to communicate with me, who alone am present. I think, however, that neither he nor I have any legal authority, and, therefore, that he ought to communicate everything of the kind to all the ministers here, or about. . . . My duty obliges me to say that I seriously believe this clandestine manner of smuggling treaties is contrived by European powers on purpose that Mr. Jay and myself may not have an opportunity of suggesting ideas for the preservation of American navigation, trans-

port trade, etc. This method reflects contempt and ridicule on your other ministers. When all Europe sees that a number of your ministers are kept as a kind of satalites to Dr. Franklin in the affairs of peace, but that they are not to be consulted, or asked a question, or even permitted to know the important negotiations which are going on with all Europe, they fall into contempt."

In regard to Silas Deane, without intending to depreciate the value of the services he really rendered his country, the fact must be recalled that he was dismissed from its service after a patient examination, and after he had been heard by Congress in his own defence, whilst the same tribunal declared that it had no complaint against Arthur Lee, who, after his return from Paris, was elected a member of that body from his native State, and occupied other high and responsible positions in the public service. The defence of Silas Deane was not only made before Congress, but also in a lengthy "Address to the People of the United States," which brought forth the unsolicited letter from John Adams to de Vergennes, already quoted.

There are in mankind two distinct dispositions, we had almost said *natures*, one callous, the other sensitive. To the latter Arthur Lee belonged, or he could hardly have devoted the time and attention he appears to have bestowed in his reply to this address of Silas Deane. What he has said so completely repels the assaults of Mr. Deane, and presents such an interesting picture of their respective environments, that we shall cull somewhat liberally from Mr. Lee's letter to the Congress on this subject, as found in the public library at Philadelphia, reminding the reader that Silas Deane was still a prominent figure before the world of England, France, and America, and that what he openly declared at that time was not unlikely to make an impression on the public mind, and suggested, if it did not demand, the notice it received.

In noticing the statements of Mr. Deane's "address," so far as they affected Mr. Lee, he says: "I do most solemnly declare that every one of them is totally and absolutely false." He then, after referring to and refuting the idle assertion that he had by a "wanton display of his errand to Spain given just cause of

disgust to the court of Madrid," proceeds, "As a cover to this I am represented as proclaiming my hatred and contempt of the French nation, and being suspected by persons in high office from my connection with Lord Shelburne. Situated as I was, if I regarded only my own safety, it would have been little short of insanity to have made such declarations, whatever might have been my *opinion*. If Mr. Deane means that I exclaimed against those contractors and jobbers who, very much under his influence, were doing injustice to the public, he is right; but in no other sense is there a color of truth in the charge. I had traveled three times before in France, from my own inclination. Was this like one who hated the people? If I was suspected for my connections with Lord Shelburne, till very lately an avowed and able friend of America, how came it that Dr. Franklin, who was known to be intimately associated with Lord Howe, Sir Grey Cooper, Secretary of the Treasury, and Mr. Strahan, the King's Printer, the most ministerial servants and avowed enemies of America, should have escaped suspicion? If I was suspected here, how came the court to trust me with those of their proceedings which they most wished to be kept secret? . . . I have written but two letters to Lord Shelburne since I left England, of which I send you copies. I owe this testimony to the honor of that nobleman, that notwithstanding our former friendship, he never has attempted, directly or indirectly, to get a line from me, nor has he had one, except the one above, written soon after my arrival here (Paris), and the other to recommend the business of our prisoners."

Mr. Lee next enters at large into the examination of several other grave charges made against him while in Germany and Spain. These he refutes so completely as, to repeat the words of John Adams, not to leave the glimmering of a suspicion of their truth. He then goes on to say: "I beg the particular attention of Congress to one observation, the truth of which the *contracts, appointments, and banker's accounts* will show, that although the public money was equally in my disposal, I never disposed of fifty pounds without the concurrence of my colleagues; nor did one livre go through the hands of any relation or connection of mine; that no contract or place was ever given

by my recommendation. The graciousness and the advantages of these things, my colleagues, their friends and relations, enjoyed exclusively and entirely. One would imagine this might have kept them in good humor with me."

He next proceeds to show the untrustworthiness of Silas Deane, by adducing proofs that after he had been recalled as commissioner to France, and with the letter annulling his powers "in his pocket," he concealed the fact from his colleagues, the court of France, and the public; and not only continued to exercise the authority of a commissioner, but drew from the American fund the large sum of £1,700 sterling, to which he was not entitled.

The remainder of Arthur Lee's very able and exhaustive paper is devoted to the consideration of various other assaults upon his good name, as ill-natured as they are shown to have been groundless; in view of which he well asks if the "*character*" of his accusers should not be considered?

In a letter to Theodoric Bland, dated Paris, December 13, 1778, referring to his position as a public man, Arthur Lee writes: "I assure you, my friend, I have experienced more cares and anxieties in two years than in all my life besides. You may, therefore, conclude that when the public shall think my services no longer necessary I shall not repine. But it is not a little unpleasant to be deprived of the credit which constant toil and assiduity in its service would seem to deserve; and submit to be traduced by the men who, instead of consulting the public interest when in office, have made immense private fortunes for themselves and their dependents, and who are occupied in two things chiefly: their own gain, and the abuse of every one who will not sacrifice to their aims. Mr. Deane is generally understood to have made a very large sum of money while he was commissioner; and his clerk, from being penniless, now keeps his horse and his carriage. Mr. Williams, Dr. Franklin's nephew, from being a clerk in a sugar bake-house in London, is become a capital merchant here, loading ships on his own account, while gentlemen of good fortune in America cannot get credit for their subsistence. These things are notorious; while there are no visible sources

of this property but the public money, and state secrets to trade upon. It may be useful to you to know these facts, as they concern the public. My opposition to such proceedings has made all that are concerned my bitter enemies."¹

Yet another thrust has been made at Arthur Lee, and this after the lapse of a century. In the work already referred to, *Translations from the French Archives*, by *Durand*, it is represented that *Chevalier de la Lazerne*, who had succeeded Gérard as French minister to the United States, exerted his influence against Mr. Lee, and "*put a stop* to his proposed appointment as minister of foreign affairs by declaring that he would not transact business with him!" It is safe to say that there is no record of any such statement in the *American* archives, and if it appears in those found at *Paris*, it is only an additional proof of the vigilance and independence of Arthur Lee which rendered him a terror to evil-doers. Nor can it be accepted as true that the Congress of the United States would have thus submitted to the dictation of a foreign, even a French representative. Every honest endeavor to enlighten the public mind should be welcomed; but whoever undertakes to examine the above-mentioned publication with the expectation of deriving any material assistance in such direction, must leave it with a feeling of disappointment. If the famous claim of Beaumarchais had not long ago been disposed of, we should conclude that this work had been designed to aid in the establishment of that demand, and to decry those who had presumed to question its entire correctness. This work contains some two hundred and ninety pages. One-third of the whole is devoted to *Beaumarchais*; and not a little to the criticism of Arthur Lee and his brother Richard Henry Lee. And it will hardly be expected that such statements should be accepted with entire confidence, when it is remembered that the Continental Congress always sat with closed doors; that it was quite impossible for any but those officially entitled to gain admittance at its sessions; and that it was from what occurred in such secret sessions that much of the information contained in these

¹ This letter, not written for public eyes, has been supplied the author from private papers of Mr. Bland by their present owner.

"Translations" is said to be derived. This could only have come through second hands, or, if otherwise, from those who betrayed their trust, and whose deliverances were, therefore, freighted with doubt and suspicion.

It is difficult to decide what in this volume is original, and what is to be accepted as "translated from the French Archives." But we feel justified in denouncing the statements on pages 92 and 93, concerning Arthur Lee, as unqualified slanders. What credit, we would ask, is to be accorded to charges found in a volume assuming to be "*New Materials for the History of the American Revolution, Translated from Documents in the French Archives*," when, as authority of the gravest of all the charges it contains against a dead patriot, we are referred, not to Documents found in the "French Archives," but to the "*Historie de la participation de la France à l'établissement des Etats Unis d'Amerique*," a work published long before the public was favored with these "Translations," the reference being at the same time coupled with the admission that there is "doubt of the truth of these charges," etc.? Turning to the *Index* of these "Translations," an important part of every book, we may get some idea of its claims as an authority. Here are a few specimens:

"Lee, Richard Henry—Sets out for New York (p. 6).

Do. Duel with Laurens (p. 187).

Do. Maintains right of U. S. to treat independently with England (p. 197).

Do. This opinion treated with "indignation and contempt" (p. 197).

Referring to page 6, we are informed that the "Royalists had set out to New York to blockade it. General Lee is actually on the way with 5,000 men!" Turning to page 187, for information concerning Richard Henry Lee's duel with Colonel Laurens, which we had never heard of before, we read: "The rage for dueling here has reached an incredible and scandalous point. No repression of such a pernicious spirit is even thought of. This license is regarded as the appanage of liberty. Fortunately in these combats nothing but the priming is burnt. Out of eight or nine duels which have occurred in the last few weeks, only one shot took effect, in the coat of General Lee, who fought Colonel Laurens, son of the ex-President of Congress, on ac-

count of the General's statements in relation to his condemnation. A senator, made to descend from his seat where he exercises sovereign authority, is led to the battle-field, and forced to risk his life in support of a suffrage dictated by duty!"

The only truth in the foregoing quotations is contained in the suggestion that Richard Henry Lee was a "Senator." He was never (it can hardly be necessary to state to the intelligent reader) a "General," and he never led any body of men to New York, or any where else, except as captain of a company of Virginia volunteers, which he raised and tendered to General Braddock, at Alexandria, when on his way to fight the French and Indians. As to the "*duel*," so graphically described, it is enough to say that Richard Henry Lee was a sincere Christian, and never fought a duel with Colonel Laurens or any one else. In another part of this work we are informed that Richard Henry Lee "*pretended* that the United States had a right to treat independently with England" for peace; and Gérard is cited as authority for the statement. The truth is, France desired to prolong the contest between Great Britain and the Colonies. The correspondents and agents of the French cabinet were doing all in their power to "fan the flame of war." Hence Gérard, if he is fairly represented, undertook to state to his government much that came through questionable channels, the more readily accredited because he wished, rather than believed, it to be true. There can be no other explanation of his "report" that two of the most ardent and consistent patriots in America—Richard Henry Lee and Samuel Adams—were wont to indulge in "secret conclave" with Mr. Temple, whom he represented as a "spy or emissary of Great Britain, sent to sow distrust of France." The bare statement of such an accusation is its best refutation. To what extent Richard Henry Lee, and those who agreed in his opinions, advocated a separate treaty of peace with England we are not informed; but the assertions that he "*pretended*" anything concerning the right in question, and that his opinion "was received with contempt and indignation by Congress," are decidedly apocryphal. If Richard Henry Lee advocated a separate treaty, he doubtless did so openly and boldly, and wisely too, for we are assured that

France was disposed to "hold off, and endeavored to prolong the war for selfish ends." Surely blood and treasure enough had been expended to justify a longing for peace. Thus we find that John Adams while at Paris wrote to Robert R. Livingston in this way: "You may depend upon it, the French see with pleasure the impossibility of our coming soon together, as they saw with manifest regret the appearances of a cordial reconciliation under a former administration. These sentiments are not unnatural; but *we* are under no obligation from mere complaisance to sacrifice interests of such deep and lasting consequence. For it is not merely mercantile profit and commerce that are at stake—future wars, long and bloody wars, may be either avoided, or entailed upon our posterity, as we conduct wisely or otherwise the present negotiation with Great Britain."¹

Again, John Adams writes from Paris to Mr. Livingston: "To talk of confidence in the French court is to use a general language which may mean almost anything, or almost nothing. To a certain degree, and as far as the treaties and engagements extend, I have as much confidence in the French court as Congress has, or even as you, sir, appear to have. But if by confidence in the French court is meant an opinion that the French officers of foreign affairs would be advocates with the English for our rights to the fisheries, or to the Mississippi River, or to our Western Territory, . . . I own I have no such confidence, and never had. Seeing and hearing what I have, I must have been an idiot to have entertained such confidence. I should be more of a Machiavelian or a Jesuit than I ever was, or will be, to counterfeit it to you or to Congress."²

And it seems that Mr. Jay, who had gone deeply into the questions then at issue, entertained similar views. Writing from Paris in August, 1782, to Mr. Livingston, after reciting the visit of Dr. Franklin and himself to the Count de Vergennes, Mr. Jay says: "On returning, I could not forbear observing to Dr. Franklin that it was evident the count did not wish to see our independence acknowledged by Great' Britain until they had made all their uses of us. It was easy for them to foresee

¹ *Diplomatic Correspondence*, IV., 37.

² *Diplomatic Correspondence*, IV., 49.

difficulties in bringing Spain into a peace on moderate terms; and that if we once found ourselves on our legs, our independence acknowledged, and all our other terms ready to be granted, we might not think it our duty to continue in the war for the attainment of Spanish objects; but, on the contrary, as we were bound by treaty to continue the war till our independence should be attained, it was the interest of France to postpone that event till their own views and those of Spain could be gratified by a peace; and that I could not otherwise account for the minister's advising us to act in a manner inconsistent with our dignity, and for reasons which he himself had too much understanding not to see the fallacy of."¹

Thus it appears that the distinguished representatives of America in France entertained very similar views on the subject of a separate treaty to those attributed by Gérard (according to the *Translations*) to Richard Henry Lee; and it can hardly be credited that such opinions were treated by Congress with "indignation and contempt." If Gérard ever made such a statement, he was misinformed, no doubt; and a mistake on so grave a point is not calculated to enhance the credit of the source whence it is derived, especially when compared with Richard Henry Lee's own statement on the subject, who, in a communication to *The Virginia Gazette*, in 1779, said: "I deny having maintained that America had a right, by the 'Alliance,' to make peace without consulting her ally, if England did not declare war. I know that war may be made without declaring it. But I have, both within and without Congress, said that if *England acknowledged the Independence of the United States, and did not resent the part taken by France*, America was at liberty to treat with England." The qualification indicated by *italics* presents the real opinion of Mr. Lee, and the difference from the statement above quoted; and if Gérard could have extended his vision to the welcome year 1782, when the treaty of peace between the United States and Great Britain was signed by Benjamin Franklin, John Jay, and John Adams, *without the knowledge of the French ministry, and so secretly as to extort from the prime minister, de Vergennes, in writing to the French*

¹ *Diplomatic Correspondence*, IV., 467.

envoy at Philadelphia, such expressions as these: “. . . You certainly will not be less surprised than I am at the conduct of the commissioners . . . ;” and again: “I think it proper that the most influential members of Congress should be informed of the very irregular conduct of their commissioners in regard to us,”¹ possibly he would not have considered the “*pretensions*” of Richard Henry Lee so extraordinary.

It is with sincere regret that it has been found necessary to the purposes of this undertaking to refer to Benjamin Franklin in terms other than those of the highest commendation. His native genius and remarkable attainments, and especially the eminent services that distinguished his public career, have made his name conspicuous in the annals of his country, and render any criticism of his character an unwelcome task. But when fire-brands are thrown, to ward them off, if not to cast them back, is at least natural. It was said of Lord Bacon that he was the wisest and the meanest of mankind. It is not less true of Benjamin Franklin that beneath all his greatness there lurked a selfish, vindictive, domineering and ambitious spirit; claiming the right to rule, and admitting no opposition. Unfortunately he found in Arthur Lee a nature as positive and independent as his own. What he had to say against that person was the result of personal animosity, and lies scattered through his correspondence in such a way that it is difficult to deal with in a limited space. And as if to justify the indulgence of such dispositions, and perpetuate the aspersions to which they gave birth, the panegyrists of Franklin have thought fit, after the lapse of many years, to descend into the grave of his cotemporaries and rake from their ashes the memories of the past.

Thus Jared Sparks, in his life of that distinguished statesman, after devoting several pages of an interesting work to the arraignment of Arthur Lee for certain alleged malversations, as they affected his subject, and after holding him up as a modern Ishmaelite, declares that Mr. Lee’s “letters produced a mischievous influence, fanning the flame of *party*, and exciting suspicions of agents abroad whom he did not regard as subservient to his views”; and adds, “it is scarcely too much to say, that

¹ *Life of Franklin*, I., 490.

the divisions and feuds that reigned for a long time in Congress with respect to the foreign affairs of the United States, are to be ascribed more to this malign influence than to any other cause." This is Mr. Sparks's *opinion*, unfortified by authority. He could not sustain his position as an unqualified eulogist, except by censuring those who had not, in all things, agreed with and endorsed the views and actions of the subject of his memoir. But Mr. Sparks's *opinions* would be entitled to greater weight if he had not manipulated the correspondence of some whose course he had occasion to review; and especially if he had not *suppressed* material portions of their letters, without explanation. He, however, pays an unintentional tribute to Arthur Lee in the foregoing paragraph, by attributing to him a controlling influence over the deliberations of the American Congress; while he is forced to admit that Franklin had made *many enemies*, even in the city of "brotherly love."

The ill-feeling that, unfortunately, had been engendered between Arthur Lee and Benjamin Franklin, and which certain writers have seen fit to lay wholly at the door of the former, was not likely to be removed by Franklin's course towards Arthur's brother, William Lee, in refusing, or long neglecting, to honor certain bills of credit that had been drawn on Franklin by order of Congress, in favor of William Lee, and which Franklin had regularly accepted in the course of business. William Lee at that time was the accredited agent of Congress at Brussels, a fact well known to Franklin. As he had accepted these bills of credit, it was his duty to pay or protect them in some way, knowing that William Lee was dependent on their proceeds for the proper discharge of his duties in a distant and foreign country. Instead of this, he made two very insufficient excuses for non-payment, when the bills were duly presented for payment. The first was that he had received no money with which to meet them; and afterwards, that he did not know where William Lee was located at the time. What William Lee's precise location had to do with the collection of bills already *accepted*, and which were in the hands of a banker for collection, does not appear. But neither of these excuses seem to have been supported by facts, as will appear

from the following correspondence. The letters here cited are copied from an old letter-book of William Lee, thus endorsed in his handwriting: "*Vol. IV. William Lee—Letters, commencing 8th December, 1780, and ending June 25, 1783. Domestic, Commercial, Diplomatic, and Political.*" There can be no doubt of the genuineness and authenticity of these letters. The old book from which they are copied was received very recently from a granddaughter of William Lee. The first of these letters is as follows:

"BRUSSELS, 7th October, 1782.

"*M. Frederick Grand, Banker, Paris:*

"I have received your esteemed favor of the 1st inst., and although my draft therein contained was sent for payment *in case of need*, yet I have no doubt it has been duly paid at the house it was drawn upon, as it had been accepted long ago. I shall draw upon you to-day or to-morrow for from ten to thirteen hundred livres. The exact sum I do not know yet. However, this bill you will please pay, and charge to my account.

"You have enclosed a letter to Dr. Franklin which you will be so good as to have delivered into his own hands; also four bills, noted below, on that gentleman, amounting to £46,196.19, of which I must request the favor of you to obtain his acceptance, and then return them to me for my endorsement. Should Dr. Franklin, contrary to my expectation, decline accepting these bills, you will please give me his reasons, particularly."

The next letter is as follows:

"BRUSSELS, October 7, 1782.

"*Doctor Benjamin Franklin, Paris:*

"I have the honor to send you herewith a copy of a letter from Mr. Robert R. Livingston of the 18th July last, and of an order of Congress of the 2d of the same month, to which be pleased to refer. As you informed me in your letter of the 25th of August last that you had a copy of the order of Congress of the 12th of September, 1781, ascertaining the balance due me to be £42,189, with 6 per cent. per annum from that time till paid, I have only to observe, that the interest for nineteen months

added to the principal debit will amount to £46,196.19, for which sum I have drawn on you the following bills, payable to my order on the 12th of April next. (The several bills are then particularly described.) These bills will be presented to you for acceptance, with which I hope you will honor them, as they are drawn at so long a date in order to accommodate you; but if you choose to pay the money in a shorter time, be pleased to signify your wishes by letter to the care of Mr. Grand in Paris."

Thus matters remained for some time. Then we find in this same old letter-book the following:

"BRUSSELS, *November 12, 1782.*

"*M. Grand, Banker, Paris :*

"I had the honor of writing to you on the 2nd ulto., and was answered by your esteemed favor of the 22nd of the same month, enclosing my several drafts on Dr. Franklin, *accepted*. I have, therefore, at present only to request the favor of you to have the enclosed letter to that gentleman safely delivered to him."

Then follows a copy of the letter referred to, thus :

"BRUSSELS, *November 12, 1782.*

"*Doctor Franklin, Passy :*

"I have had the honor of receiving your letter of the 20th of last month, informing me that you had *accepted* my several bills amounting to £46,196.19, payable the 12th of April next; and you add: 'I confide that you will not hazard the credit of Congress by endorsing any of them to others till you have heard from me that I am likely to be in cash.' This does not surprise me, coming from Dr. Franklin; but I have in my hands the following extract from his letter of the 30th of March last to the superintendent of finance, who had ordered him *twelve months ago* to pay this money, viz.: '*No demand has been made on me by William Lee. I do not know where he is.*' At that moment you knew where I was as well as any man who had not his eyes on me. I know that this money has been lodged in your hands for the *specific purpose* of paying the debt due to me, which you

have hitherto unjustly withheld, consequently, the '*credit of Congress*' is here out of the question."

It appears that Benjamin Franklin afterwards paid these bills, as, at a later date, this memorandum is made on a letter, copied in the same book, as addressed by William Lee to Hon. Robert Morris, superintendent of finance: "As the bills drawn on Mr. Franklin, and accepted, have been paid by him, this is proof that he not only knew where Mr. Lee was in March, 1782, but he knew also that Mr. Grand, banker of the public money of America, was also the banker of William Lee, and could at any time have informed him about Mr. Lee."

The reader can draw his own conclusions from the foregoing correspondence. It is certainly not calculated to impress one with the belief that Benjamin Franklin was always right in what he said and did.

In a letter addressed on the 5th of August, 1778, to Richard Henry Lee, John Adams writes: "It has given me much grief since my arrival here (Passy) to find so little harmony among so many respectable characters; so many mutual jealousies, and so much distrust of one another. . . . If I were to take every man's word, I should think there was not one disinterested American here, because it is very certain that there is nobody here that everybody speaks well of. There is no doubt to be made that private interest has some influence upon some minds, and that our mercantile affairs and competitions have occasioned some altercations."¹

According to this testimony, Arthur Lee was not the only fault-finding and "suspicious" American agent abroad, as the public have been urged to believe.

On the 9th of June, 1779, John Adams again writes, this time addressing Arthur Lee: "It is with no small astonishment that I learn, by advices from America, your enemies are determined to impeach your attachment to our country and her cause. I hope I need not inform you that my opinion on this point is no secret at Versailles, Paris, Nantes, or elsewhere. . . . And lest that letter (of — to de Vergennes) should not be sufficient, I

¹ *Diplomatic Correspondence*, II., 554.

shall enclose another, not without heartfelt grief that malice should have been so daring and so barbarous as to make such a letter from me either necessary, or even pardonable.”¹

Arthur Lee, having requested permission to return to the United States, John Adams writes on the subject to James Lovell, thus: “I rejoiced that you produced my letter to the Count de Vergennes, and his answer, because they contained testimony in favor of Mr. Lee which was his due; and I am glad I was not placed in his stead.”

The confidence that Richard Henry Lee felt in Arthur Lee was often manifested. We present portions of two letters, omitted in the publication of their correspondence, as evidence of this feeling:

“MY DEAR BROTHER: I heard with much pleasure that you were destined to the court of Berlin, because I think you may be able to do your country essential service there. The power and magnanimity of the Prussian monarch put him above apprehension from the court of London, in pursuing measures dictated by a true generosity and the interest of his people. A port in the North for the prizes of our privateers and for the conduct of commerce will much benefit both countries. It is certain that a very extensive and mutually beneficial commerce may be carried on between Prussia and the United States, but it is unfortunate for us, that while we are left singly to oppose the whole force of Great Britain, we are at the same time prevented from giving experimental proofs of the value of our commerce by the impossibility of sending our products away or getting those of other countries. His Prussian majesty also has power in a variety of ways to call off much of the British attention from us, and thereby to facilitate commercial intercourse.”

These well-timed suggestions, we know, were not lost on Arthur Lee. But still later, and while endeavoring to recruit his broken health at Chantilly, Richard H. Lee, in August, 1780, writes:

“MY DEAR BROTHER: After more than four months your letter from Orient reached me at this place. I approve your plan to obtain from Congress a full justification of yourself, as highly

¹ *Diplomatic Correspondence*, II., 584.

proper, and due to you upon the strong grounds of your public services, and the injuries you have received. . . . When such full and unequivocal justification is obtained, some repose may be necessary after your long and active service. But in a cause like ours, your patriotism will suggest that while anything remains to do, nothing is done. With respect to your obtaining a full justification from Congress, although it is justly due you, yet you know it is wise to adopt *measures*, even for arriving at justice. You are too well acquainted with human nature not to admit the wisdom of *Polinius's* advice to his son: '*Give every man your ear, but few your voice.*' I would not seem to know my enemies; but you will know your friends, and the latter will claim your *voice*, the former your *ear*. Samuel Adams may be grappled to your soul with hooks of steel; his friendship, his knowledge of men, and wise precaution, will wonderfully assist you. Most of the eastern delegates were your friends: Mr. Vandyke, of Delaware, sensible and honest, is much your friend. Governor Bee, of South Carolina, is a gentleman of worth, and sensible of the injustice done you. But your friend Mr. Izard can inform you exactly. I must confess that I was surprised that you had so far put your return to America in the power of Dr. Franklin. The wicked enmity he has practiced and encouraged against you ought to make him fear your arrival here, and instigate his art and cunning to procure your detention in Europe. A thousand plausible pretexts will not be wanting to effect that purpose. It will give me infinite pleasure to learn that you are removed from the sphere of that wicked old man's power and influence; and, therefore, I hope you will give me the earliest notice of your arrival in Philadelphia."

That Richard Henry Lee was convinced of the corrupt conduct of some of our official agents in France is evident, not only from his earnest support of Arthur Lee, but from his decided declarations to others. Thus, in a private letter to Sir James Jay, he said: ". . . That large sums of money have been expended in France is indisputable. That no adequate account is yet obtained is certain; and to me the reasons for its not being so are by no means satisfactory. He who undertakes public business without being competent, is culpable; while a

capable man will at all times be able to show, satisfactorily, how his business has been conducted, even to the smallest minutia. It is an insult to common sense to produce a banker's charge of money to account for the expenditure of millions during the transactions of a year and a half. We have a letter written by Cunningham, who commanded the *cutters* fitted out at Dunkirk, which cost the public more than one hundred thousand livres, complaining heavily for himself and his people at finding themselves in charge of a *private* armed vessel, when they conceived themselves in the service of the United States."¹

Arthur Lee having returned to the United States, the following proceedings were had in Congress:

"In the Continental Congress: The committee to whom were referred the letter of Arthur Lee, Esq., &c., submit the following report: Arthur Lee having deposited with the President of Congress a picture of the king of France, set with diamonds, and presented by the minister of that monarch on his taking leave of the court of Versailles as a mark of his majesty's esteem; and having intimated that as the picture was presented to him in consequence of his having been a commissioner of Congress at that court, it did not become him to retain the same without the express approbation of Congress:

"*Resolved*, That he be informed that Congress approves of his retaining the picture.

"*Resolved*, That Mr. Lee be further informed, in answer to his letter, that there is no particular charge against him before Congress, properly supported; and that he be assured his recall was not intended to affix any kind of censure on his character, or on his conduct abroad."

We have thus presented this brief reply to the remarkable assaults upon the good name of Arthur Lee; a reply by no means as complete as it should be, and which we had hoped would long since have been undertaken by more competent hands, as due to the truth of history, not the gilded fictions that have at times usurped that honored name, for such we unhesi-

¹ It was by reference to his banker's book that Silas Deane attempted to explain the expenditure of large sums of money entrusted to him. In regard to Cunningham, see also what Arthur Lee said in his letter.—*Ante*.

tatingly affirm to be much that has been written under its guise against Arthur Lee. De Loménie, in his interesting *Memoirs of Beaumarchais*, before mentioned, relies on the "American historian, Jared Sparks," as authority for his statements. We have already given our reasons for rejecting such of Mr. Sparks's *opinions* as are taken for *facts*; and we hardly think that the endorsement of a polished French writer will, under the circumstances, render such opinions more valuable. Some one has said that the "*subjective* feelings of men are apt to be guided by their previous intellectual views." Is not this equally true of their *objective* feelings, inasmuch as men are more liable to be controlled by their ideas of persons and outward objects than by speculations and theories, especially when the *locus in quo* of the former is considered? We do not think that Mr. Sparks, notwithstanding his extensive *researches*, for which his countrymen are so much indebted, can be cited as an exception to this observation; or else, in his harsh arraignment of Arthur Lee, he has completely failed to put himself in competition with facts.

The principal testimony, which has been so industriously employed to the prejudice of Arthur Lee, is that of the interested claimant, *Beaumarchais*, as presented in the pages of his biographer, *M. de Loménie*; the unlucky *Silas Deane*, as he appears in his correspondence, in his appeal to the Continental Congress, and in his "Address to the People of the United States"; and of *Benjamin Franklin*, the "statesman and philosopher," as displayed in the folios of Mr. Sparks and others.

Against the interested statements of *M. de Beaumarchais*, with his glowing pseudonyme, "*Roderique Hortalez*," we place the consistent and disinterested testimony of Arthur Lee, with the strong corroborative circumstances that have been mentioned; and, so far as the claim of *Beaumarchais* against the Colonies was concerned, the *opinion* of Benjamin Franklin, and the reports made upon that claim by the various committees of Congress to whom it was referred.

Against the statements of *Silas Deane* we avouch the same disinterested statements of Arthur Lee, and corroborating circumstances; Mr. Deane's strong personal interest, and that lack

of confidence which usually attends a want of character, and which contributed to, if it did not necessitate, Mr. Deane's dismissal from the public service.

But what shall be said of the testimony assumed to have been gathered from the writings of *Franklin*? In estimating the value of evidence, the *character* of the witness is always to be considered. This is a universal rule. It has no exception. Hence, if the declarations of two men such as Arthur Lee and Benjamin Franklin are found to conflict, an appeal to character is a rational, as well as a legal, test by which to determine the weight and value of their testimony. No one, we need hardly repeat, can wish to withhold the meed of praise due to the genius and attainments of Benjamin Franklin, and for the services rendered his country. Yet it is impossible to deny that he was dominated by selfish and sordid desires, and by a vain and pedantic disposition, covered over by a pleasing *suaviter in modo*. Born a utilitarian, he grew to be a philosopher. Naturally proud of the *éclat* his attainments challenged, he was as much delighted with the praise of his constituents as a child with its kaleidoscope. This feeling, innocent in itself, but, strange to say, offensive to others, he exhibited everywhere. He could not help it. He would have been the same in "Lilliput," as in London or Paris. One who had studied well his character, and upon whose words listening senates have hung,¹ has said of him: "He was a man of inordinate meanness; whose philosophy was sordid and selfish, devoted to the small economies of life, based on no Christian principles, and rising no higher than intelligent paganism." And it must be added that the sentiments of the philosopher, as *recorded by himself*, were so impure on certain occasions as to exclude them from all editions of his published works. It is impossible to accept the opinions and testimony of such a man without reserve, under all circumstances, especially where a giant "self the wavering balance holds."

On the other hand, opposed to the statements exhumed by the biographers of Franklin and their copyists from a mass of documents probably long before forgotten by the philosopher himself, we present the consistent, disinterested testimony of

¹ Jefferson Davis.

Arthur Lee, and claim for it all the weight due to the words of an upright citizen and unflinching patriot, of pure and unimpeachable character, whose private life and public conduct, so far as we have any account of them, challenge investigation and place his declarations as to all such facts and circumstances as he has affirmed to have been within his personal knowledge, beyond doubt or cavil—" *veritas nihil veriter, nisi abscondi.*" In the embarrassed condition in which he found the affairs of America abroad, and the want of harmony amongst his countrymen, he may have displayed less forbearance than a cunning patience might have suggested for his own good, nevertheless he was at all times an honorable man and faithful public servant, true to his word and true to his country.

Due regard for the amiable maxim, "*De mortuis nil nisi bonum,*" would have suppressed many of the foregoing reluctant words, had not its gross and cruel violation by the assailants of Arthur Lee rendered them imperative. But enough has now been said to justify his course in the eyes of his countrymen. We have referred to his election, on his return from France, to the Legislature of his native State—then a position of large responsibility—and to his appointment as a commissioner to revise the laws of that State, an honor which has from time to time been conferred on such men as Pendleton, Wythe, Mason, and Jefferson. We will only add that, soon afterwards, he was elected a member of the General Congress from Virginia, and by that body was appointed on the Treasury Board of the United States. Such repeated tokens of the continued confidence of his constituents, and by co-laborers in the public service, furnish of themselves a refutation of the malign accusations of his enemies, and confirm what has here been urged in his defence.

NOTE.—The reader who may feel disposed to follow these subjects any further, is referred to *The Life and Correspondence of Arthur Lee*, published in 1829 by Wells & Lilly, Court Street, Boston; to *The North American Review*, Article, "Arthur Lee"; to a similar article in *The American Cyclopaedia*, Vol. VII.; to the *Manuscripts* of Arthur Lee in the State Department at Washington and the Library at Philadelphia; and to those of Richard Henry Lee at the University of Virginia.







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